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# Message Text

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ACTION IO-13

INFO OCT-01 ISO-00 IOE-00 CIAE-00 COME-00 EB-08 INR-07
LAB-04 NSAE-00 SIL-01 INRE-00 AF-08 ARA-06 EA-07
EUR-12 NEA-10 SSO-00 /077 W
----------031835Z 006851 /43
O R 031735Z MAR 77
FM USMISSION GENEVA
TO SECSTATE WASHDC IMMEDIATE 5629
INFO USUN NEW YORK 4301

C O N F I D E N T I A L SECTION 1 OF 2 GENEVA 1568

PASS LABOR AND COMMERCE

E.O. 11652: GDS
TAGS: ILO
SUBJ: GOVERNING BODY DECISION ON US PROPOSAL TO AMEND ARTICLE 17 OF ILO CONFERENCE STANDING ORDERS

REF: GENEVA 1412

1. SUMMARY: AFTER MORE THAN FIVE HOURS OF DEBATE (39 SPEAKERS), GOVERNING BODY (GB) DECIDED, BY SECRET BALLOT VOTE OF 34 TO 17 WITH 4 ABSTENTIONS, TO REFER REPORT OF GB STANDING ORDERS COMMITTEE TO ANNUAL CONFERENCE COMMITTEE ON STANDING ORDERS IN JUNE 1977. (UNDER VOTING PROCEDURE FOLLOWED, NEGATIVE VOTES REPRESENTED POSITION THAT CONSIDERATION OF ARTICLE 17 SHOULD BE REFERRED BACK TO THE WORKING PARTY ON STRUCTURE (WPS).) THIS VOTE REPRESENTS MAJOR VICTORY IN US EFFORT, SUPPORTED BY MODERATE GOVT, WORKER AND EMPLOYER REPS, TO ESTABLISH SCREENING MECHANISM TO PREVENT THE CONSIDERATION BY THE ANNUAL CONFERENCE OF RESOLUTIONS WHICH ARE CONDEMNATORY IN NATURE OR WHICH BYPASS ESTABLISHED ILO INVESTIGATORY MACHINERY. END SUMMARY.

2. FOLLOWING ARE PRINCIPAL ARGUMENTS USED BY OPPONENTS
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OF US PROPOSAL TO AMEND ARTICLE 17:

A. IT LIMITS SOVEREIGNTY OF MEMBER STATES TO HAVE ISSUES WHICH THEY DEEM FUNDAMENTAL CONSIDERED BY THE CONFERENCE.

B. IT IS ANTI-DEMOCRATIC BECAUSE IT ESTABLISHES

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SECRET PROCEDURES FOR REVIEW OF RESOLUTIONS BY OBSCURE SMALL BODIES UNREPRESENTATIVE OF THE CONFERENCE.

C. IT LIMITS THE SOVEREIGNTY OF THE CONFERENCE TO DISCUSS ISSUES WHICH IT DEEMS FUNDAMENTAL TO THE PURPOSE OF THE ORGANIZATION--INCLUDING ISSUES OF A POLITICAL NATURE. THE ILO MUST BE ABLE TO DEAL WITH POLITICAL AS WELL AS ECONOMIC, SOCIAL, AND TECHNICAL ISSUES.

D. IT PRECLUDES THE CONFERENCE FROM DEALING WITH EXCEPTIONAL AND EXTRAORDINARY SITUATIONS WHERE RECOURSE TO SPEEDY PROCEDURES, INSTEAD OF THE CUMBERSOME AND LENGTHY INVESTIGATORY PROCEDURES IN EXISTENCE, ARE NECESSARY.

E. IT REMOVES AN ISSUE FROM WORKING PARTY ON STRUCTURE WHERE MORE GROUPS OF MEMBER STATES ARE REPRESENTED AND THEREBY DENIES OPPORTUNITY FOR SERIOUS DISCUSSION ON ALTERNATE POSITIONS.

3. A. SINCE THE VOTE WAS SECRET, A HEAD COUNT WAS NOT POSSIBLE. HOWEVER, FROM PUBLIC POSITIONS TAKEN BY TITULAR MEMBERS DURING DEBATE IN GB PLENARY, SUPPORT AND OPPOSITION WAS AS FOLLOWS:

FOR: GOVTS: UK, FRANCE, ITALY, FRG, AUSTRALIA, CANADA, USA, JAPAN, NORWAY. (FOR, WITH RESERVATIONS, IRAN)
(VENEZUELA INFORMED USREP HOROWITZ THAT LATIN

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AMERICAN COUNTRIES VOTED A GROUP POSITION OF ABSTENTION.)

WORKERS: MORRIS (CANADA), PLANT (UK), BROWN (USA), HAWKE (AUSTRALIA). (USDEL BROWN ESTIMATED GROUP VOTE WAS 12 IN FAVOR AND 2 AGAINST REFERRING REPORT TO CONFERENCE.)

EMP: VITIAC JAKASA (ARGENTINA), LINDNER (FRG), SMITH (USA), OECHSLIN (FRANCE). (FOR, WITH RESERVATIONS, AHMED (SUDAN), NASR (LEBANON))

AGAINST: GOVTS: USSR, YUGOSLAVIA, SOMALIA, HUNGARY, KUWAIT. (AGAINST, WITH RESERVATIONS, MEXICO, INDIA)

WORKERS: MAKHLOUF (TUNISIA), PIMENOV (USSR).

EMP: NONE

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INFO OCT-01 ISO-00 IOE-00 CIAE-00 COME-00 EB-08 INR-07
LAB-04 NSAE-00 SIL-01 INRE-00 AF-08 ARA-06 EA-07
EUR-12 NEA-10 SSO-00 /077 W
----------031835Z 006744 /43
O R 031735Z MAR 77
FM USMISSION GENEVA
TO SECSTATE WASHDC IMMEDIATE 5630
INFO USMISSION USUN

C O N F I D E N T I A L SECTION 2 OF 2 GENEVA 1568

PASS LABOR AND COMMERCE

B. NOT VOTING BUT PARTICIPATING IN DEBATE (I.E.,
DEPUTY MEMBERS:
FOR: GOVTS: AUSTRAI
EMPLOYERS: YLLANES RAMOS (MEXICO), PLITES
(AUSTRALIA). (FOR, WITH RESERVATIONS, ZALILA
(TUNISIA))
AGAINST: CUBA, POLAND, SRI LANKA. (AGAINST,IWITH
RESERVATIONS, COLOMBO)
WORKERS: SALANNE (FRANCE)

4. FOLLOWING IS SUMMARY OF USDEL HOROWITZ'S
REMARKS, MADE ABOUT HALFWAY THOUGH DEBATE:

A. US ORIGINATED THIS PROPOSAL TO SET UP SCREENING
PROCEDURE BECAUSE, AS ALL MEMBERS AWARE, ILO
HAS BEEN HAMPERED BY INTRODUCTION OF RESOLUTIONS
WHICH ARE EITHER EXTRANEOUS TO ILO FUNCTION OR
WHICH DISREGARD ESTABLISHED ILO PROCEDURES.
US PROPOSES THEREFORE THAT CONFERENCE LIMIT
ITSELF SO THAT IT CAN PROCEED WITH ITS WORK.

B.IDEFINITIONS IN PARA 3A AND 3B OF AMENDMENT
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SEEM SUFFICIENTLY CLEAR TO COVER TYPE OF
SITUATION WHICH HAS ARISEN IN PAST. WHILE
SOME PREVIOUS SPEAKERS HAVE ARGUED FOR "ESCAPE
CLAUSE" TO ALLOW FOR UNUSUAL SITUATION WHICH
WOULD JUSTIFY PASSING IMMEDIATE RESOLUTION
WITH NO PRIOR INVESTIGATION, WE REMIND MEMBERS
THAT THOSE RESOLUTIONS (WHICH WE FOUND
OBJECTIONABLE) PASSED BY CONFERENCE IN PAST
HAVE EACH BEEN CONSIDERED BY THEIR PROPONENTS
TO BE "EXCEPTIONAL"; THEREFORE ADDITION OF
ESCAPE CLAUSE WOULD DEFEAT PURPOSE OF AMENDING
ARTICLE 17. PROCEDURES IN PROPOSED AMENDMENT
ARE INTENDED TO PROTECT THE DECISIONS REACHED
BY THE VARIOUS OFFICERS OR PANELS RULING ON
RECEIVABILITY OF RESOLUTIONS. ORIGINAL US
PROPOSAL WAS REVISED TO MEET CONCERNS (ON BOTH
DEFINITIONS AND PROEDURES) EXPRESSED BY BOTH
DEVELOPING AND INDUSTRIALIZED COUNTRIES, WHICH
WE CONSULTED IN REVISING OUR TEXT.

C. SOME SPEAKERS HAVE ALLEGED THIS EFFORT TO
REFER PROPOSED AMENDMENT TO CONFERENCE COMMITTEE
ON STANDING ORDERS IS "HASTY" AND DOES NOT
ALLOW ALL MEMBERS TIME TO BE CONSULTED. IN
FACT, REVISED AMENDMENT WAS CIRCULATED IN
OFFICIAL ILO DOCUMENTS TO ALL MEMBERS OF ILO
IN 1975 AND HAS BEEN IN WPS FOR TWO YEARS
WHERE IT HAS NOT BEEN GIVEN PRIORITY. THE
CONFERENCE STRUCTURE COMMITTEE DID NOT DISCUSS
IT DURING SESSION IN JUNE 1976 NOR GIVE IT ANY
PRIORITY IN SETTING ITS PRIORITIES. ALTHOUGH
WPS MET FOR TWO WEEKS IMMEDIATELY AFTER
NOVEMBER 1976 GB SESSION WHICH HAD DECIDED TO
REFER ARTICLE 17 TO GB COMMITTEE ON STANDING
ORDERS, WPS DID NOT DISCUSS ARTICLE 17 AT ALL
DURING THOSE TWO WEEKS. CLEARLY WPS HAS
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DECIDED NOT TO TAKE ANY ACTION ON THIS ISSUE
AND THEREFORE GB DECISION IN NOVEMBER TO REFER
IT TO STANDING ORDERS COMMITTEE OF THE GB, AND
THAT COMMITTEE'S PROPOSAL NOW TO REFER IT TO
THE STANDING ORDERS COMMITTEE OF THE CONFERENCE,
IS PROPER AND IN ACCORDANCE WITH THE ESTABLISHED
PROCEDURES OF THE ILO.

5. COMMENT: FAVORABLE DECISION OF GOVERNING BODY IS
OBVIOUSLY IMPORTANT ACHIEVEMENT IN REGARD TO US
CONCERNS IN ILO. IT IS ONLY THE SECOND STEP (GB

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STANDING ORDERS COMMITTEE WAS FIRST), HOWEVER, IN PROCESS
OF SETTING FINAL APPROVAL FOR AMENDMENT.CONFERENCE
CONSIDERATION, IN COMMITTEE AND PLENARY, WILL, OF
COURSE, BE MORE HAZARDOUS AND UNCERTAIN THAN EX-
PERIENCED IN GB. CATTO

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# Message Attributes

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**Decaption Date:** 01-Jan-1960 12:00:00 am
**Decaption Note:**
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**Disposition Approved on Date:**
**Disposition Case Number:** n/a
**Disposition Comment:** 25 YEAR REVIEW
**Disposition Date:** 22 May 2009
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**Disposition History:** n/a
**Disposition Reason:**
**Disposition Remarks:**
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**Enclosure:** n/a
**Executive Order:** GS
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**Review Release Event:** n/a
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**Secure:** OPEN
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**Subject:** GOVERNING BODY DECISION ON US PROPOSAL TO AMEND ARTICLE 17 OF ILO CONFERENCE STANDING ORDERS
**TAGS:** ELAB, ILO
**To:** STATE
**Type:** TE
**vdkvgwkey:** odbc://SAS/SAS.dbo.SAS_Docs/b2aed7be-c288-dd11-92da-001cc4696bcc
**Review Markings:**
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**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009